

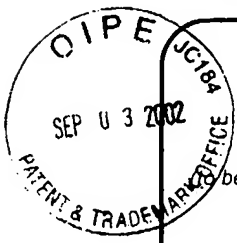
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# TRANSMITTAL FORM

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|--|---|------------------------|-----------------------------------|
| <b>TRANSMITTAL FORM</b>                  |   | Application Number     | 10/038,060 (Parent: 08/973,823)   |
|  |   | Filing Date            | January 4, 2002                   |
|  |   | First Named Inventor   | Andrew Koff et al.                |
|  |   | Group Art Unit         | 1632 (Parent GAU: 1632)           |
|  |   | Examiner Name          | Unassigned (Parent Ex: R. Shukla) |
| Total Number of Pages in This Submission | 1 | Attorney Docket Number | 14538A-005111US                   |

## ENCLOSURES (check all that apply)

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| Firm and Individual name | Townsend and Townsend and Crew LLP<br>Mark G. Sandbaken, Ph.D. |  | Reg. No. 39,354 |
| Signature                | <i>M. G. Sandbaken</i>   |  |                 |
| Date                     | 8-28-02  |  |                 |

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PATENT  
Attorney Docket No. 14538A-005111US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

ANDREW KOFF et al.

Application No.: 10/038,060  
Parent Application No.: 08/973,823

Filed: January 4, 2002

For: METHODS FOR ENHANCING  
ANIMAL GROWTH AND CELL  
PROLIFERATION BY  
ELIMINATION OF THE CYCLIN-  
DEPENDENT KINASE  
INHIBITOR FUNCTION OF  
P27<sup>Kip1</sup>

Examiner: Unassigned  
Parent Examiner: R. Shukla

Art Unit: 1632  
Parent Art Unit: 1632

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STATEMENT**

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants direct the Examiner's attention to the references below, also listed on the accompanying Form PTO-1449. Copies were provided in the parent application (USSN 08/973,823) and therefore are not enclosed herewith pursuant to 37 CFR 1.98(d), unless otherwise indicated. Documents not previously cited are marked with an asterisk, and copies are enclosed.

The following U.S. Patents are set forth below by issue date:

- AA. U.S. Patent 5,302,706 issued April 12, 1994 to Smith et al.\*
- AB. U.S. Patent 5,340,740 issued August 23, 1994 to Petite et al.\*
- AC. U.S. Patent 5,650,550 issued July 22, 1997 to Korach et al.
- AD. U.S. Patent 5,958,769 issued September 28, 1999 to Roberts et al.

The following international publications are set forth by publication date:

- AE. PCT Publication No. WO 94/26884 published on November 24, 1994.\*
- AF. PCT Publication No. WO 95/18824 published on July 13, 1995.\*
- AG. PCT Publication No. WO 96/02140 published on February 1, 1996.\*
- AH. PCT Publication No. WO 97/26327 published on July 24, 1997.\*
- AI. PCT Publication No. WO 97/38091 published on October 16, 1997.\*

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Applicants also notify the Examiner of co-pending Application No: 09/637,848, filed August 10, 2000, in the name of Roberts *et al.*, which Applicants believe is cumulative with reference AD (U.S. Patent No. 5,958,769; Roberts *et al.*) and reference AH (PCT Publication WO 97/26327). These references are not commonly assigned, or under an obligation to be commonly assigned, with the instant application.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants believe that their invention as claimed is patentable over the above references taken alone or in any combination. However, Applicants reserve the right to demonstrate that the claimed invention was made prior to any one or more of the above-identified references. No inference should be drawn as to the pertinence of the references based on the order in which they are presented.

Andrew Koff et al.  
Application No.: 10/038,060  
Parent Appl. No.: 08/973,823  
Page 10

PATENT

Applicants respectfully request that the Examiner review the foregoing references to make his/her own determination of the patentability of the present invention and that the references be made of record in the file of this application.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action. Although no fee is believed to be due, the Commissioner is hereby authorized to charge any fees necessitated by this transmittal to Townsend and Townsend Deposit Account No. 20-1430.

Respectfully submitted,

Dated: 8/28/02

By: Mark G. Sandbaken  
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